

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

XOCHITL MICHEL SANCHEZ-
PACHECO,

Defendant.

3:23-CR-032-MMD-CLB

Preliminary Order of Forfeiture

This Court finds Xochitl Michel Sanchez-Pacheco pled guilty to Count One of a Ten-Count Criminal Indictment charging her with conspiracy to distribute and possess with intent to distribute a controlled substance in violation of 21 U.S.C. §§ 841(a)(1) and 846. Criminal Indictment, ECF No. 1; Memorandum in Support of Plea, ECF No. 83; Stipulation to Forfeit Property as to Xochitl Michel Sanchez-Pacheco, ECF No. 85; Change of Plea, ECF No. 90.

This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between the property set forth in Forfeiture Allegation Two of the Criminal Indictment and the offense to which Xochitl Michel Sanchez-Pacheco pled guilty.

The following property is (1) any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 21 U.S.C. § 841(a)(1), a specified unlawful activity as defined in 18 U.S.C. §§ 1956(c)(7)(A) and 1961(1)(D), or 21 U.S.C. § 846, conspiracy to commit such offense; (2) any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of a violation of 21 U.S.C. §§ 841(a)(1)

and 846; (3) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of a violation of 21 U.S.C. §§ 841(a)(1) and 846; and (4) all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished in exchange for a controlled substance or listed chemical in violation of 21 U.S.C. §§ 841(a)(1) and 846, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of 21 U.S.C. §§ 841(a)(1) and 846 and is subject to forfeiture under 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(1), 853(a)(2), and 853(p); and 21 U.S.C. § 881(a)(6) with 28 U.S.C. § 2461(c):

1. \$18,400 in United States Currency (property).

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights, ownership rights, and all rights, titles, and interests of Xochitl Michel Sanchez-Pacheco in the aforementioned property are forfeited and are vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the times under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).

1 Notice is served on any individual or entity on the date when it is placed in the mail,
2 delivered to a commercial carrier, or sent by electronic mail under Fed. R. Crim. P.
3 32.2(b)(6)(D) and Supplemental Rule G(4)(b)(iii)-(v).

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
5 or entity who claims an interest in the forfeited property must file a petition for a hearing to
6 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C.
7 § 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under
8 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the
9 petitioner's right, title, or interest in the property, the time and circumstances of the
10 petitioner's acquisition of the right, title or interest in the property, any additional facts
11 supporting the petitioner's claim, and the relief sought.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
13 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal
14 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, within thirty (30) days
15 of the final publication of notice on the official internet government forfeiture site,
16 www.forfeiture.gov, or his receipt of written notice, whichever is earlier.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
18 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
19 Attorney's Office at the following address at the time of filing:

20 Daniel D. Hollingsworth
21 Assistant United States Attorney
22 Misty L. Dante
23 Assistant United States Attorney
24 501 Las Vegas Boulevard South, Suite 1100
25 Las Vegas, Nevada 89101

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
27 described herein need not be published in the event a Declaration of Forfeiture is issued by
28 the appropriate agency following publication of notice of seizure and intent to
administratively forfeit the above-described property.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
2 copies of this Order to all counsel of record.

3 DATED October 2, 2024.

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7 MIRANDA M. DU
8 UNITED STATES DISTRICT JUDGE
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